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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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OFFICE OF
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RESPONSE

UST Program Facts

Data About The Underground Storage Tank (UST) Program

- Size of the UST universe (as of September 2007)
 - There are approximately 630,000 active USTs (at approximately 240,000 sites) which are regulated by the UST technical regulations
 - Since 1984, more than 1.6 million substandard USTs have been closed
 - o Substandard tanks properly closed by owners, pose little – if any – threat of leaks which could contaminate groundwater and soil
- Compliance with the UST requirements (as of September 2007)
 - 75 percent of active UST systems are in significant operational compliance with the spill, overfill, and corrosion protection requirements for release prevention
 - 71 percent of active UST systems are in significant operational compliance with the leak detection requirements
 - 63 percent of UST facilities are in significant operational compliance with both the release prevention and leak detection requirements
- Corrective action at UST sites (as of September 2007)
 - 474,127 releases have been confirmed
 - 446,940 cleanups have been initiated
 - 365,361 cleanups have been completed
 - 108,766 cleanups have not yet been completed
- LUST Trust Fund is financed by a 0.1 cent federal tax on each gallon of motor fuel sold in the country
 - Tax is in effect through September 30, 2011 (originally authorized in 1986)
 - As of September 2007, the balance in the fund was approximately \$2.6 billion; in fiscal year 2007, the fund earned more than \$117.5 million interest
 - Over the past four years, Congress has appropriated about \$72 million per year, of which EPA distributed approximately 85 percent to states and tribes
 - o For fiscal year 2006, Congress appropriated supplemental funding of \$15 million for states in Regions 4 and 6 affected by the 2005 Gulf Coast hurricanes
- Approximately 40 states have UST cleanup funds which pay for most UST cleanups and are separate from the LUST Trust Fund; collectively states raise and spend more than \$1 billion annually
- State program approval (as of April 2007)
 - 36 states, plus the District of Columbia and Puerto Rico, have approved state programs

Background And History Of The UST Program

- In 1984, Congress responded to the increasing threat to groundwater posed by leaking underground storage tanks by adding Subtitle I to the Solid Waste Disposal Act (SWDA)
 - SWDA required EPA to develop a comprehensive regulatory program for USTs storing petroleum or certain hazardous substances to protect the environment and human health from UST releases
 - Federal UST regulations require preventive measures (such as spill, overfill, and corrosion protection), release detection monitoring, corrective action, and demonstration of financial resources to carry out corrective action
 - EPA's 1988 regulations set minimum standards for new tanks and required owners of existing tanks to upgrade, replace, or close them
- In 1986, Congress amended Subtitle I of SWDA and created the Leaking Underground Storage Tank (LUST) Trust Fund, used to:
 - Oversee cleanups by responsible parties
 - Enforce cleanups by recalcitrant parties
 - Pay for cleanups at sites where the owner or operator is unknown, unwilling, or unable to respond, or which require emergency action
- In August 2005, Congress amended Subtitle I of SWDA and created the Underground Storage Tank Compliance Act of 2005 (in Title XV, Subtitle B of the Energy Policy Act of 2005)
 - This legislation focuses on further preventing releases
 - In particular, it expands eligible uses of the LUST Trust Fund and includes provisions regarding operator training, delivery prohibition, secondary containment and financial responsibility, and cleanup of releases that contain oxygenated fuel additives
- Because of the large regulated universe of USTs at the inception of the program (over 2 million tanks), EPA designed the UST program to be implemented by states
 - 36 states, plus the District of Columbia and Puerto Rico, have been approved to act in lieu of the federal program and may have more stringent UST requirements
 - Other than a few cases, the remaining states have agreements with EPA to be the primary implementing agency
 - In fiscal year 2007, EPA supported state programs by:
 - Providing resources from the LUST Trust Fund (approximately \$60 million for state cooperative agreements and to tribes to increase the number of cleanups completed)
 - Providing resources for UST state and tribal grants (\$30.7 million)
 - Providing technical assistance, training, and information exchange
 - States have reported that UST releases are the most common source of groundwater contamination and that petroleum is the most common contaminant
- For more information about the underground storage tank program, see EPA's Web site at: <http://www.epa.gov/oust>